



Docket No.: 63979-028

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of

Takashi NISHIKAWA, et al.

Application No.: 10/616,917

Filed: July 11, 2003

For: A SEMICONDUCTOR DEVICE AND A FABRICATION METHOD THEREOF

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Noting the Office Action of December 9, 2004 wherein restriction has been required, Applicant hereby elects Group I (claims 1-6) for prosecution in the above-identified application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Michael E. Fogarty  
Registration No. 36,139

**Please recognize our Customer No. 20277  
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**Date: December 30, 2004**